

09/980089

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : GRATZL, et al.

For : DEVICES AND METHODS FOR
ASSESSING CELLULAR TRANSPORT
FOR RESEARCH, DRUG DISCOVERY
AND TESTING, CLINICAL DIAGNOSES,
AND THERAPY DESIGN

Serial No. : 09/980,089

Filed : November 28, 2001

Confirmation No. : 8107

Examiner : Unknown

Last Office Action : None

Attorney Docket No. : CWR 2 0282
Cleveland, Ohio 44114-2518

**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS
UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/
ELECTED OFFICE (DO/EO/US)**

Commissioner for Patents
Box PCT
Washington, D. C. 20231

Dear Sir:

Responsive to the Notice to File Missing Requirements Under 35 U.S.C. 371 mailed February 11, 2002 in the above-captioned patent application, Applicants submit the following documents:

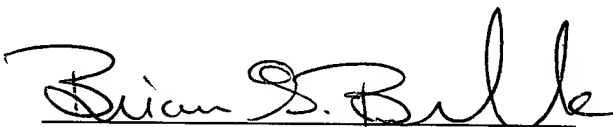
1. A Declaration and Power of Attorney signed by co-inventors Miklos Gratzl and Hongwen Lu.
2. Petition to Accept Signature of Proprietary Interest Holder on Behalf of Non-Signing Inventors Under 37 CFR § 1.47(b).

3. A Request for Four Month Extension of Time.
4. A check in the amount of Sixty Five Dollars (\$65.00) to cover the surcharge for the filing of the Declaration later than the appropriate thirty (30) months from the priority date pursuant to 37 CFR 1.492(e).
5. A check in the amount of Seven Hundred Twenty Dollars (\$720.00) for filing the Request for a Four Month Extension of Time.

Authorization is hereby made to charge any additional fees or credit any overpayment to Deposit Account No. 06-0308.

Respectfully submitted,

**FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP**



Richard J. Minnich, Reg. No. 24,175
Brian G. Bembenick, Reg. No. 41,463
1100 Superior Avenue, 7th Floor
Cleveland, Ohio 44114-2518
216/861-5582

08/14/2002 MKAYPAGH 00000081 09980089

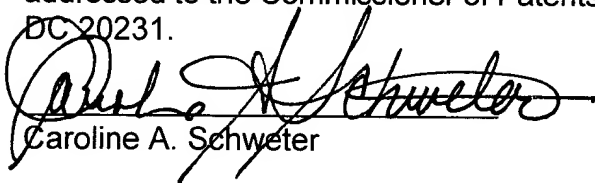
01 FC:254

65.00 DP

CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

"Express Mail" Mailing Label Number EV 125349599 US
Date of Deposit: August 12, 2002

I hereby certify that the attached correspondence and accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Box PCT, Washington, DC 20231.



Caroline A. Schweter

RECEIVED

UNITED STATES PATENT AND TRADEMARK OFFICE

FEB 19 2002

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLPCommissioner for Patents, Box 901
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/980,089 | Miklos Gratzl | CWR 2 0282 |

| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/US00/14805 | |
| I.A. FILING DATE | PRIORITY DATE |

Richard J Minnich
Fay Sharpe Fagan Minnich & McKee
1100 Superior Avenue
Seventh Floor
Cleveland, OH 44114-2518

CONFIRMATION NO. 8107
371 FORMALITIES LETTER



OC000000007452893

Date Mailed: 02/11/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Small Entity Statement

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

DOCKETED

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 09/980,089 | PCT/US00/14805 | CWR 2 0282 |